

L.R
(1891-92)

181 ~~9~~ 91

1020

Subj. Petition of Patel Veer Gajda
regarding the dispute in Connolim
Lis of no. 11 in Hithulkere
Village -

G. R. S. IX-5]

Previous references.

1891-92

File No. 181-5

191.

Serial Nos. 1-2

(L R.)

Later references.

Per No 26583 24-3-02
from Mr H. H. Henderson.

He had with letter no: 655 of 27-1-1896

Returned to D. C. Nassau with letter

no: A 10966 of 1-4-21.

L.R. 230-1-5

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 20

Part B for January 1896.

SUBJECT.

Petition of Patil Veeray Gonda, regarding
two disputes in Council with the Survey No 11
in Pittalwara village.

Incomplete

SL-20

No. 655 dated 27-1-1896, from the Deputy
Commissioner, D. C. Nassau.

Returning the documents and papers
relating to Survey No 11 in the said
village.

1
Petition. No. 3698 of 1892

Petitioner. Patel Vice Janda
of Abna,
Maurjarabad Th.

Case under Rule I, Clause II
(Disposal of occupying
rights) of the Additional
Ruls.

X in the Hitha Chere
village

1. On 23rd October 1889 the
Petitioner applied for 35 acres
of land for Coffee Cultiva-
tion out of survey No. 11,
'Gomal' land, measuring
56 acres & 1 gunta. The
villagers stating that they
had no objection, the
Amildar recommended
the grant and the land
was subdivided & adver-
tised for sale on 23rd October
1891. The portion applied
for was after sub-division
found to contain 41 acres
& 11 guntas.

2. On 26th September
1891 Mr. Brooke Mockett
of

would in consequence
people & cattle, and
themselves in the matter of
obtaining fire wood &c.

H

The no. of cattle in the
village was 34 in 1890
& the extent of Gomal
allotted is 56 acres. The
kindness in his report
no. 678 dated 19th October
states that there is the
residence of only one
Ryot in the village.

Case for a
Statement
in the Court
presented
in Court Prov.
23/8/92

+ we present
a person who
knows the
approximate
for the extent
of Gomal
lands.
23/8/92

12/3/92 Submitted.

5. Statement called in received with
the 12th of March 1893 dated 2nd
April 1893, Pages (13) & (13A) in the
file.

6. The 12th of March report shows that
the 56 acres of Gomal land in the
out of which 4th old acres are allotted
for cultivation, are used as Gomal.
Not only is the cattle of the village, which
are few, but also in the cattle of the
other adjacent villages, viz. Dahanu,
Dahanu, Dahanu, Dahanu, Dahanu,
the Gomal is used for which are in
the land. Their requirements, that the front
of the land for cultivation is of 10th of the
land, and that the 10th of the land is
used with the predecessor in the land, and
opinion that the land is not to be
out in cultivation.

7. The 12th of March report shows that the
front of the land is cutting off trees which
is needed for the land for cultivation & for
the land, and the land is not to be
cut off.

5. As occupied
area in the village is 6th of
the area of Gomal. Acres
is 56 acres & the no. of
cattle is 34. The extent
allotted for is 42. Leaving
then, there will still be
14 acres of Gomal left.
I think the whole land
allotted for cannot be
granted, but if the allotted
be, he may have 2nd
of 14 acres. Then, the whole occupied
area will be 82nd of 3rd acres
& Gomal land will be
21st

3

(3) That the land was sub. divided & advertised for sale under the orders of Dy Commr. Mr. Furness, but the present acting Deputy Commr. stopped the sale & refused to grant the land for cultivation.

(4) and that his application was refused merely because a European made a representation.

The point for decision is - whether the present Dy Commr. was justified in ordering that the land should continue as 'small' land.

4. The grounds on which the Dy Commr. refused the application are -

1. The Report that had signed the Mahajir at first raising no objection objected to the grant of the land openly on the spot.

2. The Report of Abna & two other villages state that the grant

the Kozur Estate before-
sented to the present
acting Dy. Commr.

that the grant of the land
to the Petitioner would
interfere with the culti-
vation of his extensive Coffee
estate adjoining the land
in question, and that on
inspection the entire number
might be given to him at
a fair valuation. Thereupon the

Dy. Commr. ordered the postponement
of the sale & called for certain
particulars. Other appli-
cants for the land came
in. On 17th November 1891 he
inspected the land &
decided that the land
should be granted to nobody
but should remain as
'Gornal' as before.

3. The Petitioner appeals
against this order. He
contends-

(1) That the Ryots who
had at first stated
that they had no objection
to the grant of the land
were afterwards set
up by Mr. Brooke Mockett.

(2) That the Petitioner
& Mr. Mockett hold
half of a sur. no.
tract in Daitapur,
the entire no. contain-
ing 320 acres nearly,
& that the objection
raised by the latter is
groundless.

(with original). 5

2 1/2 acres, which will be 1/4th of occupied area
(61+32=93) Governmental Council afford to leave
more than 1/4th of the occupied area as Gmud
land free of a reservation & the area has the
neighboring villages have no Gmud land enough
for their cattle is inadmissible. The neighboring
villages have no right to graze on the Gmud
land of their village. If any College -
agrees in the view, also may be agreed to
accordingly - signed P. C.

Notes

(13)

- 1) The auction price is too high owing to ^{apparently} Zaid ~~not having~~ ^{himself} deciding the question ^{the house} ~~the consequences to take it~~. ^{of course} ~~Good like~~ to be perfectly impartial to both Mr. Mockett & the Potail - ~~Our decision~~
- 2) It is not possible to divide the land between the two so as to satisfy the reasonable wants of ~~either~~ both, & so as to make it impossible for one to annoy the other? If so we can put an adequate substantial price on the land & levy ~~the portion~~ ~~do~~ it from both accy to the extent we give them.
- 3) Any right of way required shd. be excluded & left as Common.
- 4) During the Dy. Commr's visit to the site to make some such compromise with the two parties.
- 5) At any rate he shd. be asked to try & effect one & report the result with ~~a~~ a map ~~showing the position of~~ (Village maps put together), showing the land

*
Dy at maximum
rate obtained
for neighbouring
Copper land

in question, the various neighboring
Estates, Villages & Farms with
a full explanatory memo
which will enable us to understand
the Grievances of each and
the remedy the D.C. ~~dept~~
proposes —

h

Sent to Rev
Comerford

Write notes &
an order of
further reports
from D.C.
April 9th

7

24
21 acres, which will be $\frac{1}{4}$ of
the occupied area ($61 + 21 = 82$).

You cannot afford to leave
more than $\frac{1}{4}$ of the occupied area
as Gomal land free of assent &
the plea that the neighbouring villages

of have no small land
enough for their cattle is
inadmissible. The neighbouring
villages have no right to graze
on the Gomal lands of this village.

If my colleague agrees in this
view order may be issued to
accordingly. —

When I say, that 21
acres may be given,
I mean that 21

not mean that
appt should have it
without the lands being
sold in auction
under the rules.

I only mean, that 21 acres
may be disposed of
under the rules. —

Uf
24/5793

Uf
24/5793

Uf
24/5793

9. The foregoing orders were
communicated to the Deputy
Commissioner in Government

Pro:

25/5

Pro: No 20558[⊗] dated 1st June 1893. Serial No 10.
P. 2. 139-92

1893.

10. Mr. Brooke Mochett thereupon
complained that the allotment of grazing land in that part
of the District being universally
limited, the villages of Helana,
Datur, Mammichambali &
Bingurani who have only
105 acres & a portion of forest
land for 1265 head of cattle
have, from time immemorial,
been grazing their cattle on
Survey No 11 of the Bitturani
Village; that in ^{counting} ~~the~~ the
number of cattle in the latter
Village, his own herd ~~was~~
had been omitted, and that
the allotment of the land in
question for coffee cultivation
will not only deprive him
of the free pasturage but
will also put him to in-
convenience as regards

brickwood ~~are~~ required
for nurseries and other
important works on the estate.
He therefore requested that
if Government could not
afford to let the land
remain free, he might be
permitted to purchase along
with the other Vengars any
price that might be fixed
by the Government & pay
the same together with
an annual assessment
~~thereon~~ for utilizing the
land for grazing purposes.

^x
Serial No 19.

11. In Government Pro
No ^x 13252-3 dated 28th April 1924
A 1829
it was observed that the
Govt. have no reason to
reconsider the orders already
passed, but that if the
land had not been sold,
they had no objection to
its being given on full
assessment to the Vengars.

concerned on a fair valuation.

12. The ^{MR} Deputy Commissioner reported in his letter No 916 Serial No 20 of the 13th June/94 the sale by public auction of the land in question, on the ^{that is, 8 days prior to the issue of the above Proceedings} 16th April, 1894, and the purchase thereof by Mr. Brooke for Rs 13377-0-5 off Chibetto, at Rs 433/-, he was and solicited orders as regards the confirmation or otherwise of the sale with reference to Mr. Macleod's letter of 2nd May, 94 also to the previous records by Mr. Cunningham in the margin of the Govt. Pro: of 25th April, 94 to the effect that the land had been sold at an enormous price owing to the intensity of feeling between the parties & that before confirming the sale, he would represent to Govt. to give effect to the orders contained in Pro: No. 18252-3 of 20th April last, ⁱⁿ 1829 ~~to give effect to the~~

Serial No 21.

Serial No. 11.

to the Village as a body.

13. In Court Pro: No 402.

P. 7. 189-92

dated 7th July 1894, it was

observed that the Auction

price of Rs 433 per acre was

high owing apparently

to bid between the parties

and the Deputy, Gunnar,

was requested to report

whether it was not possible

to divide the available

land (Survey No 11 of Pithuric

is also Survey Nos 30 & 31 of

Dargun) between all the

applicants so as to meet

the wants of them all in

some equitable way, as if

such a division were feasible

the lands might be given

at a valuation which should

be reported. It was also

observed, that in his original

Sketch, Shri Pater Kerej from

- ⑧
- (1) Shri Beroke Blackell
who has a large & valuable
coffee estate adjoining.
 - (2) Shri Pater Kerej
who has a little paddy field
(less than 3 acres) adjoining
which apparently wants the
land not so much for the
protection or better use of
an existing estate as for
fresh plantation.
 - (3) Shri Gnanan Mohan
Durai, who wants a part of
the land in question for the
protection or better use of his
existing coffee estates adjoining.
 - (4) Village of the surrounding
neighbourhood for grazing
purposes.

had asked for the
Northern portion of Survey
No 11 as existing on his party
field but that the land
cut off a large area
was the Northern portion of
the said number & the Dy
Commissioner was asked to consider
whether these lands might
not be located in the Eastern
corner of the tract comprising
Survey Nos 11, 30 & 31, also located
on the Western side of Hassan
Lahar & the Eastern side of
the Southern side of the tract
of unoccupied common
land for village cattle between
them maintaining the existing
rights of way etc -

14. The Dy Commissioner
accordingly submits two
Sketches showing the distribution
worked out on the lines

2/12/12
(Nov 30 '12)

Letter No 176 of 27/12/12

indicated by Government
one (A) including Datar
lands Nos 302-31 & also No 22
which is reported to be
available and the other
(B) including them. The results
in both cases will be as
shown below:—

As per Sketch A.

(Including Datar lands) Area—
a. g.

1. Mr. Broskie's estate.	12-16	18-39
2. Keri's land	9-29	16-18
3. Gwinn's land in Datar.	6-29	17-27
4. Gwinn's	29-7	39-28
Total	56-1	92-27

As per Sketch B.

(Including Datar lands) Area—
a. g.

15. The Dr. Comm. for the
recommends that the
distribution made for him
as per Sketch marked B
may be approved & the
highest price viz. Rs. 45/- per
acre realised in the sale
recovered from Mr. Mockett.

* Note. The conclusion says
that land in the Prowia's
Village recently let at
the rate of Rs. 200/- per acre. The
sale is pending confirmation. The
Dr. Com. has apparently not noticed this.

14 ✓

leaving Vee's for the 2^d again
Mohadin Dadi to take
up (if they agree) portions
which would go to them
at 72 Rs per acre being the
average price of the land
as these portions are com-
paratively more than
the land proposed to be
allotted in favor of Mr
Mockett.

16 It will be seen from
the Deputy Commissioner's
letter more referred to
and also from the deposition
given by Vee's for the 2^d that
the latter is unwilling to
accept the settlement ~~and~~
proposed by the Deputy Comm^r
Vee's for the 2^d says that
Survey Nos 30 & 31 of the latter
Village are unfit for coffee
cultivation and that the portion

~~land~~ ^{portion} proposed to be
 allotted to him out of
 Survey No. of the Kitterick
 Village (adjoining his own
 land No 10) being also suitable
 for coffee cultivation about
 7 acres of land (out of No
 No 13) running from east
 to west (& touching Mr. Macleod's
 Estate) might be given to
 him or that he may be
 allowed to take up the
 whole of the land sold
 to Mr. Macleod (No No 13)
 at the rate of Rs 32-8-0
 per acre.

17. Though Kere's proposal
 proposal to take up a
 strip from east to west
 is ^{highly} objectionable, it is a
 question for consideration
 why dated ^{No 30231} lands which
 are stated to be suitable

for cultivation should
 not be left out and the
 settlement assigned to
 the allotment of Survey.
 No. 11 is, the Sketch A sub-
 -mitted by the Deputy Surveyor
 with slight alterations
 by which the North-Eastern
 and Western boundaries
 of the new free grazing
 lands may be removed
 westwards and Kerefunda
 allowed some more land
 (at least equal to the
 area allotted in favor of
 Mr. Modest) for coffee
 cultivation. If Kerefunda
 fails to accept such a
 settlement, it appears he
 distinctly told that ~~the~~
~~lands~~ in the interest of local
 peace, either the sale of the

(^{if necessary} contracting the extent of free
 grazing land out of the Municipality
 & allocating a portion of Survey
 No. 30 of the District for the
 purpose.)

17

1912/12/11

25/9/92
 25/9

Send the Papers
to the Dewan, as he
evidently wishes to make
a matop settlement.
In a case in which there is such
a sharp competition, I think
Govt are entitled to take the
highest bid offered. - J.C.
17/12/94

17/12/94

17/11/11

I have nothing to add
to my remarks in Paper (22)
I confess I had I suppose to
decide so long a time & without
the assistance of a Settlement
Committee. I know on - as
a matter of fact -
I have no comparison table &
I have no doubt with it
7-19/6/11 -
J. J. (some name)
500 7/11/11

New England
Please send your
orders on the
rule
2/16/95
19/6/95
24-

18

To

15th August 1895

I am directed to
acknowledge receipt
of your letter re:
forwarding a copy
of an application from
Mr B. Mockett seeking
the interference of the
President to modify
an order passed by
the Mysore Govt on the
15th July 1895 concerning
the sale of a land in
which Mr Mockett
had become the highest
bidder for Rs. 13 877-10-5

The land formed
part of a survey re:
set apart for forest
or pasturage purposes
and under the rules
in force applications
for such land ^{are} ~~is~~ ^{are} ~~is~~ ^{are}
for consideration receiving

19

by the Dy Comm^r and
~~He is~~ ^{they are} not competent to
 grant such land
 for occupation without
 the permission of Govt
 and in this instance the
 application was refused
 by Hassan. The Dy Comm^r of Hassan
 was prevented

An appeal was presented

before the order of
 the High Court when in
 accordance with the rules
 a Committee of the Council
 found that the cattle of
 the neighbouring villages
 had no right to graze in
 the land under dispute, and
 that the formal land was
 more than what could
 under the rules be allotted
 with ~~reference to~~ due regard
 to the number of cattle
 and the area of cultivated
 land. ^{Govt} accordingly
 decided that 32 acres out
 of the survey 20 might be
 disposed of for cultivation
 under the rules -

for it in accordance
with ~~the~~ well-defined
rules; and the action
of ~~the~~ ^{the} Durbar in this instance
would not have
been consistent with
such policy if the
application of Varnan
had been ^{totally} refused - a

A portion of the land
was therefore ordered
to be given out for
cultivation.

The selling of the land
by auction was a
necessary proceeding
under the rules and
the fact would have
been ~~only~~ justified
in adopting a special
arrangement only if
all the parties concerned
had agreed with Varnan
Gowda persisted in
his application & ex-
pressed his willingness
to buy up the land for
his bid which was
only eight annas less
than the rate offered by
Mr B. Markett because
and it would have been
extremely invidious

if not injudicious
to have repud his
bid and not accepted
that of Mr. B. B. Morkett.

If necessary the
original file of papers
will be sent for perusal
& return.

Yours

Rev Sir,
I submit the file to
you please as the
case was under
his consideration
more than once and
the final order is
in accordance with
his views. While
he has well the
final draft of the
report as approved
Yours truly
22/10/95

Memo.

In the Mysore District Land No. 11 of Hittal^{re} has been shown as "Boond" or Coffee land. It contains no entry of either this or any other land having been assigned as Gomal or free pasturage at the Survey Settlement which took place in 1881. Information is required as to whether the land above referred to was ever under coffee cultivation. Also as to when, how & upon what authority this land was subsequent to 1881 set apart as Gomal; & whether such appointment was in favor of the ^{residents} village of Hittal^{re} alone or also ^{those of all or any of} of the villages of Hebana, Datur, Masimani, Keshalli and Chingorhalli. The distance between the last mentioned four villages & the land in question should likewise be reported.

2. The Physical Details shows that the only land set apart as hounal for the cattle of the village of Akheana was land No 4 measuring 11 acres and 28 guntas. But the Dy Commissioner's letter No 1061 of 27th April 1993 shows that the total extent of hounal land in the said village is 82 acres & 20 guntas. This discrepancy should be explained. The General Nos included in the said 82 1/2 acres and the authority under which they were so included should also be reported.

3. In the Physical Details of Dattur and Masodnicken - holi, the hounal lands assigned to those villages are shown as No 12 measuring 59^a - 32^a and No 27 measuring 25^a - 39^a, respectively. But the areas mentioned in the Dy Commissioner's letter of 27th April 1993 are somewhat smaller, being

2 - 9
4 5 - 13 for Ration and
24 - 19 for Masinaiken-
-halli. The cause of
this difference should
be reported.

4. In Para 5 of Govt
Order No. 402. D 7-7-94,
the Dy Commr ^{Net 7139-92} was asked
"to withhold demand for
Mr. Mockett's unpaid
portion of the auction
price" pending receipt
of the report therein
called for. This order
did not direct or authorize
the repayment of
money already recovered.
But in his telegram of
29th Octr last, the Dy
Commr reports that the
sum of Rs 138 77 recovered
from Mr. Mockett in
April last (sic) was
returned to him in
Novr last. This return
of the money was neither
authorized by Govt nor
was it in accordance
with Rules. The Dy
Commr showed up-
(with papers) the cir-
-cumstances under
which the money was
returned.

^{*}
Indubitably 1894.

29 ✓

5. A report should
also be made, ^{as to} whether
the land in question
(No 11 of H. 11 at here)
has been made over to
the Purchaser or not.

Q.

28-12-95

Memorandum.

Survey No. 1 of the Kit-
-talhere Village is a journal
(or land assigned for the free
pasturage of the village cat-
-tle) measuring 56 acres and
1 Gunta. In October, 89, me-
vire' Gondla applied for 40
acres and 11 Guntas out of
it. As usual, the villagers
were questioned on the sub-
-ject. They replied that they
had no objection to the
grant of the land for cul-
-tivation. The land was
accordingly advertised
for sale. Mr. Brooke marked

31/

1891, the villagers changed
their minds and objected to
the grant of the land for cul-
-tivation. The Eff^{ty} Deputy

1872 rejected all the appli-
cations and directed that
the land should continue
as forest. Viré fowda
appealed. The appeal was

10 acres of free pasture was
 all that seemed necessary,
 but the councillors ^{proceeded upon} made
 a more liberal allowance ^{provision of allowing 25-her}
 and decided that 24 acres ^{and of the}
 of the land in question should ^{occupied}
 be left as fomal and the re- ^{area}
 -maining 32 acres granted
 for cultivation. The Council-
 -lors further held that the
 neighbouring villages had no
 right to the free grazing of
 the Pittahere village and
 that the objection based upon
 the insufficiency of fomal in
 those villages was manifestly
 untenable. Orders for the sale
 of 32 acres were accordingly

'D'

issued in June 1893. The sale
was held on 10th April 1894.
In the meantime, i.e., in De-
cember 1893, Mr. H. M. Mockett
represented inter
alia that the disposal of
the land by public sale
might deprive not only the
cattle of himself and of
the villagers of pasturage,
but also his estate of a con-
venient spot from which
supplies of brush-wood
could be drawn for his mar-
series. He therefore request-
ed that the land might
be assessed and given to
himself and the villagers

for an upset price. The decision of the Council was final and the Government were of opinion that there was no reason to reconsider it. Nevertheless the Government felt disposed to show Mr. Mackett all the consideration in their power, and accordingly directed on 25th April 1874 that his request might be complied with, if the sale had not already taken place. On receipt of that order, the Deputy Commissioner reported that the sale had been held on 26th April 1874, and that Mr. Mackett himself had

26)

purchased the land at £400
per acre, being only 5 annas
higher than the bid of the
original applicant Hre'jwda.
On 7th July 1894, the Govern-
-ment attempted to reconcile
conflicting interests by sug-
-gesting a division of this
and certain other unoccu-
-pied lands between Mr.
Mochett, Hre'jwda, Dawai
and other villagers. But the
3 principal landholders, Mr.
Mochett, Dawai and Hre'jwda,
would not agree as to the
manner in which the lands
should be apportioned. The
attempt at compromise fell
through and the Government

on 1st July 1895-confirmed the
sale which had been held
in strict accordance with
Rules. Mr Mockett now
complains of this order of
1st July 1895.

by ✓

25/3/1

1) Chief Commr. 38

2) Appeal in time

3) Order, produced.

4) Rule I C.C. (4)
of the Act: Rules

A.R. 101-
Submitted to the
Council

24/7/92
3/7/92

Can be used
in the

25/7

(General Serial No. 32.)

189

①

No. 3698

Name of Petitioner. Del Verri General

Village. Abbanid

Taluk. Manjerabad

District. Hassan

Date of Arzi. 2.2.92

Date of Receipt. 2.2.92

Date of Disposal.

No. of Enclosures. One

ABSTRACT.

States that for the purpose of
Coffee Cultivation in appen
In a portion of General Land
measuring 50 acres and 18 guntas
S. N. 11, in the village of Abbanid
paid the deposit amount, and
the party gave their consent to
grant of the land to him. When
matter was referred to the Survey
Dept. the same was referred to the
Deputy Magistrate and gave it a
separate No. Notification of
sale of this new number was
duly published. Mr. Crook
Mockett then objected that
the land was in the

policy to inconvenience
 caused to tip it ~~was~~ given
 him on a permanent, without
 any sold, there would be no
 objection. Thereupon to present
 to Comm^{rs} cancelled the contract
 & ordered that the ~~contract~~
 be ~~cancelled~~ in "normal". (As before)
 Mr. Lockhart's objections were
 not held good since there are
 no lands adjoining his office
 plantation in the place.

etc. saw a coffee garden covering
 an area of 3^{1/2} and 1/2 acres
 of 7500 sq. ft. At the
 suggestion of Mr. Lockhart
 the plots are now opposed to the
 land in question being sold.

In many instances lands
 have been given for cultivation
 to Europeans on their application
 for, without heed to the repre-
 sentations & interests of natives;
 but in the present case Mr.
 Lockhart has been cancelled
 simply because a European
 advanced his objections
 if the land in question is
 sold to him it being put

pay Rs 2000/- pro,
the event of its being auc-
tioned, he is determined to
~~raise~~ raise via Rs 4000/-.

Mr. Hooke would not
be inconvenienced in
any way, if it should
get the land.

In conclusion, I
pray that one parcel
of the record, just order
may be passed.

Amildars Endorse 18/4/91
of 18/12/91:—

In accordance with
Dy. S. Order 15,422 ^{the, expire} ~~number~~ ¹¹⁷⁵ ~~in the~~ ^{file}
number ~~and~~ ^{in the} file
talking village has been
received for journal and
your application is there-
fore rejected. You should
take back the deposit
and within 3 days from
this date.

No 203. No.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 5698
dated 2^d February/32 received at the

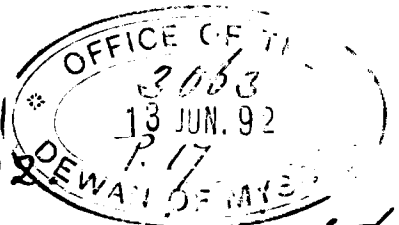
Dewan's Office from Keerifonda,
Taluk of Abbanaid, Manja-
rabad Taluk, appealing against
the order of Dy. Commr. cancelling
his darkhast for a portion of
small land in Hittalabere
Taluk, for coffee cultivation

is forwarded, together with its one
enclosure, to the Deputy Commr.
Mysore for submission
of proceedings with a process

By Order,

Draft -
(Conc. order) 25/3/32
BANGALORE,
1892
Chief Secretary. 31/3

N
(General Serial No. 50.)



41
From The Commissioner
Hassan District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 6 = } June 1892
Despatched /o = }

Received

Enclosures No. V. file.

General No.
No.

157-4-5
In reply to official memo. no. 203 of
31st March 1892
SUBJECT.

Submitting Report on
the Petition of Abbanaad
Patel Veeriyonda praying
for the grant of 35 acres
for coffee cultivation
out of Survey no. 11 of
Hittalkere, Kenehanur
Hosakote, Hobli, K. Nagar
Taluk. -

References (to be entered only in the
Dewan's Office).

To the same No. 3252
P. 7/1892

Peter Branch

Msk 13/6/92

A
12-6-92

No 150
S.

43

4

Deputy Commissioner's Office Hassan,

Dated, Camp Belur, 5th June 1892.

From

The Deputy Commissioner
Hassan District

To

The Chief Secretary to the
Government of Mysore
Bangalore.

Sir,

With reference to your official
Memo No 203 Dated 21st March
1892, forwarding Petition No 3693
Dated 2nd February 1892, received
from H. H. Ananda Chud Patel Kere
-gowda, Manjarabad Taluk, I have
the honor to report that the Petition
-er applied for 35 acres of land, for
Coffee Cultivation on the 23rd October
1889, out of Survey No 11, measuring
56-1²/₄ Gajal land. After enquiry,
the Amildar reported that the land
may

(34) 44/

may be granted as the villagers have
no objection to the grant and the
number was phoned by the Surveyor
and proclaimed for sale on the
23rd October 1891. In the meantime
Mr. Brooke Mackell represented that
he being the neighbour of the land
holding a large estate the grant
of the land to strangers will cause
annoyance to him, and therefore
requested to postpone the sale and
to let him have it on an upset
price. Several applications had also
been received for the same
number. Hence, I inspected the
land on the morning of the 17th
November 1891, in company with
Mr. Brooke Mackell, the Pabli Kari-
gouda, the Rajats of the village, -
and that of the neighbouring village.
"2 - The villagers complained to
me in the presence of the applicant
Kari-gouda

H.1 45)

Keeragowda and Mr. Mackell, that if this land is given away to the applicants as applied for they will be put to much inconvenience and that there will be no land for them to graze their cattle. I went over the land and found that a large piece of land has been marked out by the applicant and divided accordingly.

3 - In the face of so many complaints from the villagers I did not think it advisable to grant this land either to the applicant Keeragowda, or ^{to} Mr. Mackell. The Rajas who had signed the Mahazir in the first instance in favor of Keeragowda repudiated the same openly on the spot in the presence of all. I therefore ordered the lands not to be given to any one, but it should remain as Gomal

46

Journal.

4 The Enclosures, accompanying
with the District Survey of No. 153

Dated 27th Elchimo, are herewith
submitted for reference with the
Petition..

I have the honor to be

Sir,

Your most obedient servant;

J. K. K. K. K.

J. K. K. K. K.
Napan District

SCN

47/1
(General Serial No. 30.)

189

5

From

The Chief Secretary
to the Dewan of Mysore.

To

The Dy. Commr. Hassan Dist.

Dated 29

Despatched 31

Aug 92.

Received

Enclosures No.

General No. 3252

Pet. No. 139-92

Calling for a statement
in the prescribed form, showing
the particulars of gowal land
Survey No. 11.

References to be marked.

To the same $\frac{12}{7.139-92}$ $\frac{P. 1}{11}$ $\frac{2/10/92}{11}$

2

The Dy Commr, Hassan Dist.

48)

His No. 130
5 dt 6th June 92, sub-
mitting report on the facts of
Patel Kere Gonda of Abna, Man-
jarabad Tk, praying for the grant
of 35 acres of land for coffee
cultivation out of Survey No. 11,
gonal land, measuring 56 acres
and 1 gunta.

With reference to the above
has the honor to request that
the Dy Commr will submit a
statement in the form prescribed
in Govt Progs No. 12469-77
259 dt 11.2.91,
showing the particulars of the
gonal land in question.

Draft.
(Ch. Secy)
By Order
This 29th June
Chief Secretary.

1/11
✓

Transferred to the Petition
Branch. (54)

lhr
3/5/93
N
4/5/93

Submitted to the Council
(Rev.) with Memo.
2/5

L.R. 81.91-2

(General Serial No. 30.)

44

189

12528

P3294

Pet: 521

Hanan District

From

The Deputy Commissioner

To

The Chief Secretary to the Dewan
of Mysore.

Dated 27
28 April 1893

Despatched

Received

Enclosures No. 1 + 3 v ps.

General No. 1061

No. 5

In reply to his No 3252 of 29.8.92

SUBJECT.

Submitting a statement
showing particulars
of Gound Survey No. 11
in the village of initial -
here mentioned and
reporting the circum-
stances under which
Mr. Brooke Lockett raised
objection to the grant
of the same.

References (to be entered only in the
Dewan's Office).

Per. Com. 30/4

11

Read
2/5

N^o 1061 under 12307
Sessy

Deputy Commissioner's Office,
Hassan District.

Dated (ampl) Chennarayana
27th April 1893

From,

P. N. Purnaiya Esq

Deputy Commissioner,
Hassan District.

To

The Chief Secretary to the
Government of Mysore.
Bangalore.

Sir,

As requested in your Docket
N^o 3252 of the 29th August 1892,
I have the honor to submit here
with a statement in the prescribed
form showing the particulars
of Journal Survey No 11 in the village
of Kitalahere, Manjuralah Taluk
and to state that Mr. Brooke Norton
has again requested in his letter
Dated 4th October 1892 that the land
in question should not be given
out for cultivation on the ground
that

that a large portion of his estate is situated in this village; that the survey number in question is the only adjacent land on which his cattle should graze, there being no pasture land apportioned to Ghingara-halli village in which there are numerous cattle and in which the remainder of his estate is situated; that in addition to the ^{cattle} Hattal here village and his own, the land under reference is absolutely required for the cattle of the marginally noted four neighbouring villages all of which have insufficient grazing ground attached to them, that the cattle of the aforesaid villages have hitherto been and is now grazing on this land and that if the land is given out for cultivation, the Ranyats as well as himself would be placed in a most serious position. The Amildar in verifying the above facts has submitted a statement as

- (1) Abliana
- (2) Datoor?
- (3) Maravakam-halli.
- (4) Ghingara-halli

Serial No.	Name of the village.	Total Extent		Agreement		Agreed moores. field in site of G.	It's app. ment Re. of	Total Ex- tent of fomal land in the village.	No of cattle in the village.	Distance from Mitalhere	Remarks
		a	G.	Re	A.P.						
1	Ulabana	1072	35	1503	14	37	28	105	722	1 1/2 a mile.	
2	Dakin	257	34	373	2	47	18	91	204	1 1/2 a mile	
3	Maranaitkanalalli	252	14	576	12	31	31	22	302	1 mile.	
4	Chinggalalli	81	20	138	12	-	-	-	37	1/2 a mile.	
		1664	23			116	37	-	155		52

as detailed in
the margin
showing the
number of
cattle in each
village and the
fomal land
assigned to it.

2. It will be
seen from the
above statement
that the fomal
land assigned to
each village is
far below its
requirements
and consequently
the cattle belong-
ing to it have to
resort to the
land under re-
ference for
grazing pur-
poses as evi-
denced by the
statement of
the

the Ranyats of the said villages. 53/

Besides Mr. Brooke Ince the villagers also complain that the land should not be granted for cultivation and their complaint seems to be reasonable from the facts above stated. —

3 - Mr. Rajee Singh Vaseroo, the then off. Dy. Commisr., after visiting the land in question and hearing the parties in person, has expressed his opinion in this office letter No 150 Dated 6th June 1892, that it should not be set out for cultivation and I may also take the liberty of expressing the same opinion for reasons above stated.

4 - In Conclusion, I beg to add that one Gundappa, Mutasaddi of Gulam Mahadeen Sah of Kapan whose Coffee Estate is said to be close to the land in question, has also recently complained to Government that the said land should not

not be let out for cultivation
as it would cause much in-
convenience to him. —

5 — The entire Vernacular
Correspondence ending with
Maujarabad Mirdan's report
No. 837. Dated 1st March 93, together
with the Enclosures of your offi-
-cial memo No. 139 Dated 11th November
and 26th December 1892, respectively,
is herewith submitted for useful
reference. —

I have the honor to be,
Sir,

Your most obedient servant;

M. M. M. M. M.

Deputy Commissioner
Kapur District

2/11/93

No. 3698-

56

200026000
9-6-93
MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
9-6-1893

Endorsement granted to *Keejanda of Pina, Mangarai*
Taluk

in reply to

Petition Registered No. 3698 dated 29th March 1892

praying for the grant of 42 acres out of the forest land of *Keejanda*
for cultivation.

Petitioner is informed that not more than ³² acres out of the
forest land can be given out for cultivation, and that
if he wishes to have that extent, he may apply to the Deputy
Commissioner ~~in that district~~ for the same. The
application will be dealt with under the
rules.

1/6/93

"By Order"

Draft *M. S. S.*
3/6
for Chief Secretary.

57

(General Serial No. 30.)

189

16

From

*The Chief Secretary
to the Dewan of Mysore.*

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

References to be marked.

58/ 
Read:—

(1) Petition No 2698, dated 2nd February 1922 from Patel Kireyram of Anra, Hanjrahal Taluk, appealing against the order of the Deputy Commr of Hassan, declining to grant for cultivation a portion of the Gomal land, S. No 11 in the village of Hitalare, ^{Hanjrahal Taluk} ~~which~~ ~~had been cut divided and~~ ~~advised for sale on Petitioner's application~~

(2) Correspondence ending with the Hassan Deputy Commr's letter No 1061, dated 27th April last.

Order thereon No ²⁰⁵⁸⁸ P.S. 139-72 ^{8/5-6-23}

The occupied area in the village of Hitalare is 51 acres, and the area of Gomal land is 55 acres, and the number of cattle is 34. The extent ^{of land} applied for is 42 ^{acres} leaving ~~the~~ there will ~~be~~ 14 acres of Gomal left.

The whole land applied for cannot be granted, but if the applicant likes, ^{he may} have 32 1/4 acres, the same as his application, ~~and he may have 14 acres of Gomal~~ ~~land~~. Then the whole occupied area

ML

21/11/93

21

If the Butcher submits an application for #32 100 acres out of the land in question, it may be submitted and dealt with under the rules.

As regards the situation referred to the point of the limit for cultivation, the plea

area will be ~~2~~⁹⁴³ acres and Gomal land ~~will be 24~~ acres, which will be $\frac{1}{4}$ of the occupied area (~~61121 82~~). Government cannot afford to leave more than $\frac{1}{4}$ of the occupied area as Gomal land free of assessment ~~and the plea~~ that the neighbouring villages have no Gomal land enough for their cattle is inadmissible. The neighbouring villages have no right to graze on the Gomal lands of this village.

del
11/6/93

Draft
(Council order)

3/6/93
Chief Secretary

Sd/-

139-72

To the Deputy Commissioner, Poonah
with circulars bearing...

to Osroo Erāli. Saklaspur -

30 December 1893 -

Go.
D. H. 2
S. H. 2

Sir K. Sheshadri Iyer K. C. S. I.

Deewan of Mysore -

Sir

I have lately returned from England and have been placed in possession of copy of the proceedings of the Government of Mysore dated 1 June 1893 regarding the grant for Coffee cultivation of a portion of the Gomal land Survey No 11 in the village of Kittikere in the Mungerabad Taluq. - I was unaware until my return what steps had been taken concerning this Gomal land and therefore could not address you earlier concerning it, but I recently formed the intention of travelling to Bangalore to see you with reference to the same. - Your visit to Saklaspur has however rendered this unnecessary and I beg to take advantage of it to lay the matter before you -

Before you finally decide to alienate a portion of Survey No 11. Kittikere from grazing purposes and grant it for coffee cultivation I earnestly beg you to take into consideration the following -

Grazing land in that part of the Taluq is unusually limited in extent - The immediate surrounding villages of Kittikere are Abbana, Satūr, Mannaikeuhully & Chingarkhulli and these altogether possess only 155 Acres 12 Guntas of Gomal whereon to graze their 1265 head of cattle - This is far below the regulation extent whether the calculation be based on the usual number of cattle allowed to each acre, or at the rate of one fourth of the extent of the occupied area being set apart for grazing - The above named villages

Order Ambedkar
Official statement

have therefore from time immemorial been accustomed to graze some of their cattle on Survey No 11 of Hittulhere having in fact no other place adjacent at their disposal.

It has been urged that in Hittulhere there are only 34 head of cattle belonging to the villagers but from this calculation my own herd has been omitted. I beg to represent that a large portion of my Abbana Estate is in the Hittulhere Panna and is joined by the grazing land in question, and the cattle of my herd have hitherto used the pasture in common with those belonging to the other villagers, the land in question being the only unoccupied Gomal close to my Estate, the Chingarkully village on the other side of the Plantation having no Gomal whatever attached to it, altho it possesses a great number of cattle. Should therefore the land in question be alienated for Coffee I shall not only be deprived of pasturage, but there will be no adjacent place in which to procure brushwood etc for nurseries and other important works on the Estate.

I also beg to point out that the land in question was inspected, and a full enquiry held into its circumstances by Mr Hadjee Syed Kasarooddeen Acting Deputy Commissioner of Hassan, who recommended that it should be retained for grazing as at present.

Subsequently Mr Purnaiya the Deputy Commissioner of Hassan examined into the particulars of the case and in his Report No ¹²⁶²⁸ $\frac{1061}{5}$ of 27 April 1893 he confirmed Mr Hadjee Syed Kasarooddeen's recommendation that the land be retained for pasture.

File No 10
45/93

I respectfully submit all these circumstances for your consideration and beg that taking all the facts into notice you will order the land to be kept for grazing.

Should you however be of opinion that Government cannot afford to let this land remain free

free I pray that on account of the great need that
 the surrounding villagers and I have for it as pasture
 you will allow us to jointly subscribe any price that
 you may fix as its value and pay the same to Government
 together with an annual assessment, in return for its
 continuance for our cattle. The land I may remark is
 real forest and is not fitted for coffee.

I have the honor to be Sir

Your most-Obedient Servant

Brooke Knocker

21/3/21

18

63

Osor Estate - Saklaspur -

Mr. Hasan - 15 March 1894 -

To the Chief Secretary

to Sir F. Sheshadri Ayer K.C.S.I.

Deewan of Mysore -

Sir

With reference to my personal interview with Sir F. Sheshadri Ayer K.C.S.I. and to my letter dated 2nd December last regarding the alienation of a portion of the Gomal land Survey No 11 of Hittulhere in the Mungerabad Taluq I have the honor to request that you will bring this matter to his early notice as otherwise the land will given out for coffee cultivation in the beginning of next month -

I have the honor to be -

Sir

Your most Obedient Servant
Thomas Mockett,

(14)

64

Read again

Govt Pro: No 20588
P.F. 139-92
dated 7th June 1895.

Dec 18252-3
R 1829
25-4-94
2)

Read ~~Back~~ letter from.

Subject of the Revenue for orders

L.F. 181-01-8 ~~the Govt of~~

for Broom market sales

15 March 1894

De dated 30th Dec 1893 -

order thereon

You see no reason to
reconsider the order already
issued in regard to the
of part
grant of survey no 11 for
cultivation, but if the
Director has ^{not} been already
disposed of, they ~~will~~
have no objection to
the land being given
on full assessⁿ
to the villagers

The papers came
to me today, though
the Police is dated
Dec 1893.
The Police officer
appears to have
made a personal
representation to
the Dewan, who
did know what passed
then so, submit
this order for
the approval of
the Dewan

17/4/94

18/4/94

Concerned
on a fair valuation. -

65

U.S.

17/4/94

U.S.
25/4/94

by 

25.4.94

To
The Hon. Mr. Justice
Mr. Brooke-Wheeler
Pinner Court, Whitehall

1894.

R3688

From

The Deputy Commissioner
Mysore District.

To

The Chief Secretary to the Dewan
of Mysore.

Dated

1st May

Despatched

1st May

Received

Enclosures No.

General No.

No.

18252-3

In reply to Govt. No. 18252-3
20th April 1829.

Subject.

Regarding instructions 2030-
Sards the Confirmation or other
of the sale of the part of Saranghe 11 m.
Hittalheri Village, near Mysore, which
was sold by auction on the 16th
instant and purchased by Mr. Brooke
Mookett the sale proceeds of which
amount Rs. 13877-10-5 has been
collected and audited.

Vide no 402 of 7/7/94
F713772

66

Submitted to the Chief
Secretary for orders -

Paper no 112 among
the ver. papers is the
Sale list dated 16.4.94.
Only two persons - Mr.
Lake on behalf of Mr.
Mookett & Abbanavire
Sunder - have
competed for the land. They

have
been
from
5433/6
Mysore.

The area of the land
is 32 aers & 2 guntas.
The highest bid is at
the rate of Rs 433 per acre.

The last order from
this Office - No 18252-3
of 25th April 94. The
sale had been held on
16th idem to

9/6/94

In Mysore
Mysore

Res
4-6-94

10916.
Secy. Enc: one file 11.

(2)

17
Deputy Commissioner's
Office Hassan District

Dated: Hassan 24 June 87.

From

The Deputy Commissioner
Hassan District.

To

The Chief Secretary
to Government of Mysore.

Sir,

With reference to Government
Proceedings No 18252-3, dated 25th
1829
April last, passing orders on
the part of Survey No 11 in the
Hithal Kere village, Manjarabad
Taluk, I have the honor to
report that, the land in ques-
tion has been sold in auction.

69

and beg the favour with early
instructions as regards the con-
firmation or otherwise of the sale.

The vernacular records,
ending with Manjara and amil-
dar's Report No 1250, dated 2/2nd
ultimo, are herewith forwarded.

I have the honor to be

Sir

Your most obedient servant

Amir Khusrau
Deputy Commissioner

[Signature]
m

[Handwritten notes and scribbles in the bottom left corner]

on the 15th Dec at 433 Poles
are and finally purchased by
Mr Brooke Inghett and the sale
proceeds, viz Rs 3877.10.5 has
been fully realized and credited
on the 16th and 28th respectively.

68

I beg to quote in the margin

"I understand that this
land has been sold at
an enormous price,
showing the intensity
of feeling between the
parties, caused by selling
this in public auc-
tion. I would, if my
information is correct
(which will have to be
verified on receipt
of committee's report
of sale), make a re-
presentation to Govern-
ment before confirming
the sale, suggesting that
effect be given to this
order i.e. of giving the
land to the villagers as a
body."

The remarks
made by
Mr. Purmaja,
the present
Deputy Com-
missioner,
in the margin
of the Proce-
dings under
acknowledged.

As also the
letter in origi-
nal dated
2nd Instant
received from
Mr Brooke
Inghett.

The Dy Comm
has not signed
this - Call for
by return from

Sho: 11 of Hittalkere

Recd by N 111

710

Choor Estate Talukapur.

Mr. Hassan. 2 May 1894 -

To the Deputy Commissioner

Hassan District.

(21)

Sir

With reference to the Order of Government No. 18252-3
dated 25 April 1894, as copy of which I am informed has
been sent to you, sanctioning part of Survey No. 11 of the
Hittalkere Village in the Kunzeabad Taluk being given in
full assessment to the villagers concerned at a fair valuation
if the land be not already sold; I have the honor to inform
you that the above piece of land was put to auction on
16th April last and that the highest bidder was myself for
Rs 12877-12-5, but that the auction has not yet been con-
=ed, and the sale therefore remains unsettled.

As I have explained in former letters regarding
this land, and as has been confirmed by two former
Deputy Commissioners of the Hassan District in their reports
it is composed chiefly of grass and the grazing on it is
indispensable to the villagers and myself for our cattle.
Knowing this, Kari Potail Larak Joudah of Hoban, who was
the only bidder other than myself, out of enmity ran
the price up to the enormous rate of Rs 222 per acre - a
sum beyond all reason, and such as has never been even
approached for any other land - even the finest jungle -
sold by auction in this District.

Under these peculiar circumstances, and as the

sale of the land has not yet been settled I beg that the
-firmment Order above referred to may be put in force
and the land may be granted on full assessment to the
villagers concerned in a fair valuation.

I would point out that had there not
unintentionally been delays in the arrival of the reply to
my letter of 21st June last to the Dewans the order
above referred to sanctioning the grant of the land to
the villagers would have reached in time to stop the
holding of the auction & as a result the
land would have been sold. I am, Sir, very
truly yours & am, Sir, your obedient servant.

Yours faithfully,
[Signature]
[Name]
[Title]

583
1884
15/7/84
[Signature]
[Name]
[Title]

71

23rd June 1894

Wassan

(22)

My dear Sir

I send Mr. Muck all original
letter as desired - I have only noticed
the confusion in not sending it at first

Yours sincerely

M. M. M.

J. A. B. & Co. }
Ch. Lee

(24)

Dec 1/1894

Lead. Correspondence including
with Nassau District Deputy
Commissioner A. J. ~~the~~ dated
1st June 1894 ~~1894~~ 966 ~~1894~~
V.L.L.

Order. No. 402 of 7-7-94
P.L.L. 1894-95.

The auction price of
No. 430 per acre for the
land meaning about 32
acres is so high, owing ap-
parently to bid. And before
passing final orders on
the sale proceedings sub-
mitted by the Deputy
Commissioner, the Govt
wish to know whether it
is not possible to divide
the available land be-
tween all the applicants
so as to meet the wants
of them all in some
equitable way? And if
such a division were
feasible, the land
may

- (2) Said Pateri Eragjonda, who has a little paddy land (less than 3 acres) adjoining, and who apparently wants the land not so much for the protection or better use of an existing estate as for fresh plantation.
- (3) Hassan Gulam Mohadin Dalvi, who wants a part of the land in question for the protection or better use of his existing Coffee estates adjoining.
- (4) Vicagers of the surrounding neighbourhood for grazing purposes.

3. In considering what division would be most suitable, the Deputy Commissioner may consult the parties interested

and

75/17

and report their views
also. It is assumed that
in his original Purchase,
Shad Patel Eraygonda
asked for the northern
portion of A^o 11 as abutting
on his paddy field, but
that the land cut off
from A^o 11 and now made
available at auction

(as in A^o 18) is the
southern portion of the
Survey number and does
not abut on Eraygonda's
land. In considering
various alternatives, the
Deputy Commissioner
may also consider whether
Eraygonda may not
be located in the Eastern

Corner of the tract comprising survey numbers
~~11, 30, & 31~~ 11, 30, & 31, and
situated on the
western

21

76

western side of Hassan
Gulam Mohadin Dalvi
on the Southern, with a
neutral zone of unoccu-
pied Common land
for village cattle between
them.

4. In any case, all
rights of public way will
of course have to be
maintained. At the same
time, if necessary for the
purposes of the division above
suggested, ways may be
diverted, if this be possible
~~without~~ without inconvenience.

5. Pending receipt of
the report above called
for, final orders are
reserved, and the Deputy
Commr. will withhold
demand for Mr. Rocketts
unpaid portion of the
auction price.

To.

The Dy Commr, Hassan Dist.
With the file of papers recd from
him (The Deputy retransmitted
with his letter) ———

7 July 94
Chief Secy

6

77

Sub of the New C^x
with the Note

25/7/77

161-1211

Dated 4th September 1894

Received

General No. 176
No. 5 of 1894.

Submitting
report on the settle-
ment of Little Rock
land in the major
and minor -

Head
7-9

Shadue destroyed
this stick as being
no longer use-
ful

To The Rev. Brainerd
28 J 10/9 (Please See Ch. Secs
note on a slip between
25-26 in the file)

Lab 2 with
Note Continued

19/9/94

No. 176 178
5
By Commissioner's Office
Hapur District
Dated Hapur 4th September
1894

From P. H. Purnaiya Esquire
By Commissioner
Hapur District

To The Chief Secretary to the
Government of Mysore
Sir,

With reference to Government
Pro. No. 402 dated 3rd July 1894 on
the subject of a settlement by an
equitable distribution of village
-here land, I have the honor to
submit that I inspected this
land and the neighbouring
lands of Dabur village on 18th
August 1894. Mr. Brooke, Mr. K. K.
Perafowda, and Gulam Moha-
-din Dabur, the aarkas, were
also present. I consulted
each one of them as to his pro-
-posal with a view of giving
practical effect to a settlement
Such

Such as is described in the letter
 under reference. I send herewith
 their respective statements. Sketches
 are also attached to the state-
 -ments given by Meerazowda
 and Gulam Mohadin Dalvi
 which explain their statements
 and show the division they
 propose. These sketches are mar-
 -ked. C & D. From the sketch pre-
 -sented by Meerazowda, it will
 be seen that should the division
 be made as proposed by him,
 and should he be given a strip
 marked running East to West
 and touching Mr. Brooke's property
 inside hedge, there will be no
 neutral zone such as is contem-
 -plated in the Government letter
 above referred to. The result
 will be the better feeling which
 Meerazowda entertains towards
 Mr.

Mr Brooke Mockett will only
find easy combustible matter
at hand which will ignite
and kindle into flame when-
ever wanted by him. Juman
Mohadin Daboi is a fool in the
hands of Keeragowda as he is
in debt to him to a large extent.
Keeragowda is not actuated
by any intention of going
half way towards reconcilia-
tion or any length that way.
On the other hand, he openly
stated to the Amildar that
he would only agree to a
division which would not be
agreeable to Mr Brooke Mockett,
which the Amildar puts in-
offensively by stating that Keer-
agowda complained that Mr
Brooke Mockett would not

agree to the proposal which would
suit him. It will be seen from
the sketch signed by him that
the piece he marks is not adja-
-cent to his paddy land or in
that direction, and is quite
detached. In my opinion and
in that of the Amildar also,
it is absolutely necessary in the
interests of local peace not to
make Veeragowda's lands touch
any part of Mr. Brooke Mockett's
boundary. -

2. The sketch presented by
Gulam Mohadin Dalvi shows
that the portion he seeks to get
is contiguous to his present
Coffee garden.

3. Mr. Brooke Mockett in
his letter says that he is prepared
to accept the proposals made

87/

in the Government Proceedings
under reply. -

4. I forwarded two sketches
showing a distribution worked
out on the lines indicated by
Government, the one regarding
Dabur lands nos 30 and 31 & 22,
and the other including them
marked A & B, the former leaves
a central zone for Gomal of
about 29 acres and 3 gumbas
and gives ^{A. B.} 18 to Mr Brooke
Mockett, ^{A. B.} 29 to Meerazada
and ^{A. B.} 5-29 to Gulam Mohadin
Dalvi. -

5. According to the latter
sketch embracing Dabur lands
nos 30 and 31 and 22 which small
number is also available and
is therefore added, Mr Brooke
Mockett gets for his share ^{A. B.} 18-39

85 /
also gratefully accepts the pro-
-posals made in the Government
Pros. under reference. It will
also be popular with the villagers
as it allows them a fair extent
of Genus, and under these cir-
-cumstances distribution as
shown in Sketch marked B may
be approved if the Government
thinks fit to do so. -

7. The highest price realized
in the hobli is Rs. 140 and this
price may be taken from Mr.
Brooke Mockett, and should
Keragowda and Gulam Moha-
-din Dalvi agree to take up
portions which would go to
them according to this allotment
the average price of this hobli
which is 72 Rs. may be accept-
-ed as these portions are
comparatively more open. -

8. The vernacular papers con-^{89/}
-nected with the case ending
with Ganjabad and Sindhar
report no. 232 dated 22nd August
1894 are herewith submitted
for needful reference and
obliging return. -

I have the honor to be,
Sir,

Yours most ob^{ly} serv^t
M. P. M. M. M.

Dy Commis^r
Hapur District.

M. P. M. M. M.

Proceedings of the Govt. of Mysore

Read again -

(1) Letter No 918 dated 27 June 1894 from the Deputy Commissioner Hassan District reporting that the ~~old~~ portion of Survey No 11 of Hutahere village, Mandarabad Taluk, which on the application of Nid Patel Brijendra of Alna was bought & given a new number, ^{proceeding 32 and 29} 1894, was sold by public auction on the 16th April 1894, that Mr. Brooke Macleod bid, Rs 433 per acre was the highest and the sale proceeds Rs 138-2-5 were paid fully & credited in 1898. Also, and that the competition was very keen owing to the desirability of getting between the parties.

(2) Letter dated 2nd May 1894 from Mr. Brooke Macleod, received with the ~~letter~~ No 1000 of D.O. of 23rd June 1894, stating that Nid Patel Brijendra was the price up to such a high rate and of merit and that under the peculiar circumstances of the case, instead of confirming the sale, the land may be granted on full assessment to the villagers on a fair valuation as suggested in Govt order No 18252-3 A. 1829 dated 25 April 1894.

(3) Proceedings of J.C. No 402 dated 7th July 1894 enquiring whether it was not possible to arrive at a ~~fair~~ ^{reasonable} valuation.

land between all the applicants
so as to meet the wants of them
all, in some equitable way,
and reporting to Deputy Commr
to consult the parties interested
and report their views.

Read - letter 12.7.75 regarding the
September 894 from the Dy Commr
Karnar District submitting his
proposal with reference to the
above order of Government, and
the statements of parties.

Order No. 94 / 1.7.75
P.F. 139-92

In soliciting cases whether
the sale of the land to Mr Brooke
Macneil might be confirmed,
the Dy Commr brought to the
notice of Government the
existence of a deal between Mr
Macneil and Patel Brijendra,
and the desire of Mr Macneil
that the land should be given
to the villagers on a fair valuation.
Before passing final orders on
the sale proceedings the Dy Commr
asked the Dy Commr to try to effect a
compromise between the parties
by dividing some 1000 and other
available lands between them
on the lines indicated in Govt
Pro. No. 402 dated 7th July 1894,
P.F. 139-92
and they have given their best
consideration to the proposal submitted
to the Dy Commr and the statements of the parties.

of the land sold if the
full amount of the price
due according to his highest
bid has been paid

The parties should be
informed of this order

1-7-95
Rev. Secretary

To the Deponent: Hanson St.
with rem: records.

Bl 30/6

* This, without local cess,
amounts to \$78,877-10-5.
The Deponent in his letter of
17 June 1894 stated that this
amount has been just realized
or credited, but in the
order of 10 E 8, 7-7-94
the Deponent is told to
withhold demand for such
proceeds in said position
of the auction price -
Hence the proviso is
inserted.

Wm. D. Barclay
How much

has been paid
to the Deponent?

Bl 10/10/95

28

OFFICE OF THE
1895/96 1523
21 AUG 1895
R1080
NEW YORK

*Added to the 2nd Commission
with the file - C.*

23/8/95

From *The 1st Anti to the Resident
in Mysore*

To

The Chief Secretary to the
Govt. of Mysore.

Dated *21 August 95*

Despatched

Received

Enclosure No. /

General No. *3 271*
No.

*Forwarding for report
copy of letter from Mr. B. B. B.
Muckett of Sakharpur
regarding the piece of land
purchased by him at a
public auction.*

References to be marked.

Rev. A

*Submitted with the
File.*

22/8.

No. 3271 Enclure

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

TO

The Dewan of Mysore.

Dated Bangalore, 21st August 1895.

SIR,

I am directed to forward for favour of report copy of a letter dated the 31st ultimo from Mr. Crook Mockett of Saklaspur, regarding the piece of land purchased by him at a public auction on the 16th April 1894. I am to add that the Resident finds it difficult to understand why so much consideration was paid to Patel Teragorda and Gulam Moha-
deen Dabie in passing the orders of the 1st July 1895, No. ⁹⁴ 139-92, and so little to the rights of the villagers who seem to have the 1st claim upon the land for grazing purposes. The orders passed by the Government of Mysore on the 25th April 1894

1828-8
R. 1829

Secm to Mr. Lee Warner preferable.

93

I have the honor to be

Sir,

Yours most obedient servant

Ko Esme Captain,
First Assistant Resident.

AL

To
The Rev. Secy for purchase of
disposal A.C

Dr. R. A. Cunningham

22.8.95 P.S.

Ossuri Estates, Saklaspur
31st July 1895.

To,

W. Lee-Warner Esquire, B. S. S.,
The Resident of Mysore.

Sir,

I beg to submit the undermentioned case to your notice and I trust that you will kindly give your best consideration to it.

Adjoining my Ribbon Coffee cultivation is a piece of Pasture land belonging to Government, 50 acres in extent, Survey No. 11 of Hittalthe village in the Mangarabad taluqa which from time immemorial has been used for grazing the cattle belonging to the villages of Hittalthe, Abtana, Datur, Karmaridankully and Chennagurully and during the last twenty years has also been used by my own Estate cattle, and which at the Survey settlement was reserved for pasture as per copy of the Akhatgar account annexed (Exhibit A).

In 1891 a rich gowdah named Vire' gowdah applied for the grant of 42 acres of the above land for coffee cultivation, but a protest against its alienation was made by the ryots of the above named villages and myself to Mr. Syed Nasaruddin the then officiating Deputy Commissioner of the Hassan district, who in consequence personally inspected the land and held an enquiry into the number of cattle in the adjacent villages and the extent of pasturage available for them, and who finding that their grazing grounds were insufficient issued an order declining to alienate any portion of the land in question for cultivation. (Exhibit B.)

Thereupon the applicant Vire' gowdah appealed to the Government of Mysore to reverse Mr. Syed Nasaruddin's order, and to grant the land to him. In consequence of ~~this~~ this the ryots and I addressed protests to Mr. P. N. Purnaiya the Deputy Commissioner of the Hassan district for whom Mr. Syed Nasaruddin had been acting, and who had returned to his district. (Exhibit C.)

In

95

In accordance with instructions received from the Mysore Government on 27th April 1893, Mr. Burney submitted a report of the particulars of the land in question in which he endorsed all that I had stated, and showed that in the four adjacent villages there were only 155 acres of pasture reserved for the use of 1200 head of cattle and he concluded by recommending that the land under notice should be reserved for grazing as hitherto (Exhibit D).

The Government of Mysore however in direct contravention of the opinion of the two abovesaid officials ordered that 82 acres of the block in question should be alienated for cultivation (Exhibit E).

On 30th December 1893 I addressed the Dewan begging that on account of the great need the Ruzo and I had of this land he would allow it to be retained for Pasture on condition that we subscribed and paid a fair price for it as grazing ground, as well as an annual assessment (Exhibit F.), and on 15th March following, in reply to the abovementioned letter having been received I sent a reminder begging for an answer, as the auction had been fixed for early in April (Exhibit G.).

On 16th April 1894 the auction of the land was held, and as no notice had been taken of my letters of 30th Dec. and 15th March abovementioned, I concluded that it would be advisable to purchase the land under protest. The only bidder other than my representatives was Hire Gowdah, the applicant, who ran the price up to the enormous sum of Rs. 433 per acre, at which it was knocked down to my name at a rate which has never been approached in this district for even the finest Coffee land, and which for Pasture like the land in question is out of season.

On 25th April 1894 the Dewan replied to my letter of 30th December 1893, abovementioned, sanctioning the land being given to the villagers concerned at a fair valuation and on full assessment if it had not been already sold (Exhibit H.). Immediately on receipt of this I addressed the Deputy Commissioner of the Hassan district and pointed out that although the auction of the land had been held, yet the sale had not been confirmed and was therefore incomplete.

incomplete, and accordingly I begged that this order of the Government might be put in force (Exhibit I.)

But the aspect of the case was now changed by the Government of Mysore in their Proceedings of 7 July (Exhibit J.) recognizing that the auction price of the land was run up so high owing to "fix", and instructing Mr. Curmaja to add other adjacent pieces to the block in question, and by dividing the same amongst the parties interested to endeavour to meet the wants of all. Mr. Curmaja accordingly visited the land and to great pains in demarcating it impartially, and I gratefully accepted his settlement (Exhibit K), so also did the ryots whose pasture requirements he had considered, but Viri Gowdiah declined to concur in any arrangement which did not hand over to him the land joining my estate.

Upon this the Government of Mysore ordered that as Viri Gowdiah and Mohadin Delus (his friend) had not agreed to the division made by Mr. Curmaja the sale of the land which had taken place one year and three months previously, at the aforesaid excessive price of Rs. 433 per acre, be confirmed (Exhibit L.)

It is against this order that I have the honor to appeal, and to respectfully beg for your mediation with the Government of Mysore, I do so on the following grounds:-

- 1st. That the order in question deprives the villagers of grazing land which they have used from time immemorial
- 2nd. That the necessity of this grazing land being retained for Pasture as hitherto has been conclusively shown by the official reports.
- 3rd. That the Mysore Government practically admitted this in their order No. $\frac{215-188}{82.139.92}$ of 25th April 1894 (Exhibit M) which sanctioned the grant of the land to the villagers on their paying a fair value for the same as Pasture, and an annual assessment. I submit that this order should not be nullified on the ground that the auction had taken place shortly before it could be put into execution, for it was issued in reply to my request made nearly four months previously to Government viz on 30 December 1893 (Exhibit F) and had it arrived earlier, as it should have done, it would have prevented an auction being held. I further submit that the requirements of Government, and the justice of the case will be met

91

met by their order of 25 April 1894 above referred to being carried out.

That the auction price was an excessive one for land which is merely fit for Pasture and is unsuitable for coffee, and that the competition was not of an ordinary kind induced by the intrinsic value of the land but was caused out of ill-feeling by Vire Gowdah, who was the only bidder other than my representative. This the Government of Mysore have admitted in their document Exhibit 2, and under such a circumstance, and after so long a delay during which they proposed a totally new arrangement which I accept, I submit that the sale at the excessive price should not be confirmed.

With regard to Vire Gowdah, he applied for the land under the allegation that it abutted on his paddy fields, but his statements proved to be false when Mr. Curran, the Deputy Commissioner of Hassan inspected the locality, for it was then ascertained that Vire Gowdah's paddy fields were on the farther side of the range and that other owners held the wet lands between Vire Gowdah and the Pasture under notice. It seems certain that Vire Gowdah endeavoured to obtain possession of the Pasture in question in order to install himself on the border of my Ribian Coffee plantation - which is a valuable one - so as to be in a position to cause annoyance, hence his refusal to accept the offer of land offered to him in the very equitable arrangement made by the Deputy Commissioner of Hassan. I respectfully protest against it being inferred that I have any ill-feeling against Vire Gowdah. I have endeavoured to propitiate him in every possible way, and although he has obtained several blocks of land by auction lately I have in no instance opposed or bid against him. My action with regard to the Pasture under notice has been taken merely to protect my own interests and those of my native neighbours.

In conclusion I pray that the Government of Mysore will cancel their order No. $\frac{98}{27139.92}$ (Exhibit 2) dated 1st July 1895, and that their order No. $\frac{182523}{21029}$ of 25 April 1894 (Exhibit 36) may be put in force and the land thereby granted to the villagers concerned for grazing at a fair valuation for Pasture, and on an annual assessment.

Should

Should this not be sanctioned I submit that the settlement of the lands made by Mr. Purnaiya was an equitable one and I beg that it may be enforced. By it the interests of all concerned were studied, the ryots in particular having grazing ground reserved for their cattle. The Government of Mysore would under this settlement receive a considerable sum for the land to be given to me and should Viri Gowdaiah and Mohadin Dalvi refuse to take up the blocks placed at their disposal no doubt others would eventually do so. In any case I respectfully submit that their refusal would not form a sufficient ground for the withdrawal of the scheme.

I have tea,
/s/ Brooke-Mockett.

Copy

Henry Clarke
Registrar

SR.

99

(27)

No. 3271

No. 42578 1/10
P. 7139-92

To,

The Resident in Mysore

Sir,

C. R. 181-91-14

I have the
honour to acknowledge the
receipt of Residency letter
No. 3271 dated 21st
August 1895 and in
reply to the request there-
in for a report re-
garding the complaint
of Mr. Brooke Lockhart
of Lathapur, to send
herewith the accom-
panying memorandum

42

700

which gives a full
narrative of the pro-
ceedings relating to the
purchase by him of a
piece of Government land
at a public auction
held on 16th April 1894.

Gomal land
is land assigned for
the free pasturage of
village cattle but it
is liable to be resumed
when required for bona
fide cultivation without
reference to the wishes of
the villagers concerned.
In the case in question

the reduction of the
sonal, for a very small
village with an occu-
pied area of 61 acres,
from 56 to 24 acres
could not reasonably be
objected to as a hard-
ship by the villagers con-
cerned. The Government
in directing such re-
duction acted not only
in exercise of their
rights under the law
but also with due
regard to the require-
ments of the village, on
a very liberal scale,
(vide orders of Government

dated 1st June 1893).

102✓

When Nire

Gowda first applied

for the land the villagers

expressed themselves as

having no objection to

its grant to him, but

when Mr. Brooke afterwards

appeared in the field they

opposed such grant.

Their subsequent agita-

tion of the ^{matter} ~~question~~

has proceeded from a

feeling of partisanship,

due to the rivalry between

Mr. Brooke Elliott and

Nire Gowda.

In my cold weather tour of 1893-94, both the rival claimants approached me — about the question of the disposal of the lands in question. Both wanted the lands and were willing to pay full assessment upon it, but Mr. Brooke Elliott — for himself & the Village — wanted it on a valuation, while Kiri Gorda was willing to buy it at a public auction.

The orders of Government dated 1st June

102 101

1893 appeared to be quite
just and proper every
way and the Government
did not consider there
was any ground for
reconsidering ^{them} it. The
sale of the land by
public auction would
have followed natural-
ly from those orders
under the rule of auc-
tion prescribed when
there are more appli-
cants than one, but the
Government were
anxious, ~~if not too late,~~
to put an end, if ~~possible~~

how far at that
stage of the proceedings

~~position~~ to the un-
fortunate local feeling
which had come into
existence, by giving
away the Land on full
assessment to the villagers
as a body without sale,
if one had not already
taken place. Hence the
orders of 25th April 1894.

When afterwards
the Government dis-
covered that the Land
had already been sold
and when Mr. Brooke
informed the purchaser
complained of the —

1/19/1

406

excessive price he had
had to pay, the Govern-
ment attempted an
amicable settlement (vide
orders dated 7th July 1894),
and when this attempt
failed owing to the non-
agreement of the parties
concerned, the Government
had only one course
open - that of allowing
the Law to take its own
course by the confirm-
ation of the Sale, in
the publishing and con-
ducting of which no
irregularity of any kind

was alleged or existed

This course was accordingly adopted.

The Government have now very carefully re-considered the whole of the circumstances of the case in view of the fact that it has been considered of sufficient importance to call for the Presidency letter under reply, and they have come to the conclusion that no reasonable grounds exist for any interference

with the formal public
sale already held.

The Government
are not aware of having
shown any special con-
sideration to Kire Gowda
in this matter and I
submit that their in-
ability to comply with
Mr. Brahmachari's re-
quest for special con-
sideration to himself
by waiver of the ordi-
nary public sale can-
not justly be regarded
as showing any special
consideration to the

27,

rival applicant the
 Gowda. The Govern-
 ment throughout en-
 deavoured to reconcile
 conflicting and rival
 claims, and their action
 as far as it went -
 showed a desire on
 their part to show every
 possible consideration to
 Mr Brooke Lockhart -
 rather than to the Gowda.
 That such action -
 eventually failed is I
 submit no ground for
 presuming that the
 Government had any

desire for showing
special consideration
to Hira Gowda who
as a matter of fact
was the unsuccessful
bidder at the auction
against Mr Brooke
Mockett the successful
bidder. Mr Brooke
Mockett's complaint ~
when duly analysed ~
amounts merely to a
statement that he has
had to pay for the
land he wanted a
much larger price
than he would have

111

liked. But it must
be remembered that the
next lower bid of
Kire Gowda was only
Rs. 16 below the highest
bid of Mr. Brooke -
Mocketts for Rs. 13277-10-0,
and the Durbar have
no doubt that the
land if now resold
will fetch nearly the
same price. There is
no sound reason for
foregoing this legiti-
mate source of State
Revenue from the sale
of valuable waste -

112

~~The~~ I am a rich ~~man~~
in the Coffee trade in Mysore ~~and~~ in
~~which~~ has risen enormously
in value owing
to the high price which
~~Coffee now commands~~
~~as the result of~~ general
prosperity and the low
exchange value of the
Rupee.

I have &c

Dewan -

No. $\frac{4257}{\text{Pet. 139-92}} \times \frac{8}{4} = 11.75$

By

The Resident in Mysore

Sir, J. P. 181-91-15

I have the honor to acknowledge the receipt of Residency letter No. 3271 D 21 Augt 1895 and, in reply to the request therein for a report regarding the Complaint of Mr. Brooke Macleod of Dakshinpur, to send herewith ~~a~~ the Accompanying Memo. which gives a full narrative ~~account~~ of the proceedings relating to the purchase by him of a piece of ~~land~~ of Govt. land at a public auction held on 16 April 1894.

Govt. land is land assigned for the free pasturage of Village Cattle, but ~~the~~ it is liable to be resumed when required for bona fide Cultivation, ~~this in the case under reference without~~ reference to the wishes of the Villagers concerned. In the case in question the reduction of the Govt. for a very small Village ~~from~~ with an occupied area of only 61 acres, from 56 to 24 acres ~~was not only~~ ^{reasonably} ~~in accordance~~ could not be objected to as a hardship by the Villagers concerned. The Govt. in directing such reduction acted not only in exercise of their rights under the law but also with due regard to the requirements of the Village on a very liberal scale. (Vide Orders of Govt. of 1 June 1893)

The sale of ^{the} land by public auction would have followed naturally from these orders, under the rule of auction prescribed when there are ~~here~~ more applicants than one, but the Govt. were ~~not~~ ^{anxious to put an end if possible} to the unfortunate local feeling which had come into existence & ~~with that object~~ by giving away the land on full assessment to the villagers as a body without sale, ~~so~~ if one had not already taken place. Hence the order

if not too late

of ~~the~~ ^{the} June 18th —

When afterwards the Govt. discovered that the land had already been sold to Mr. Brooke Mockett ~~the~~ the purchaser complained of the ~~sale~~ excessive price he ^{had} had to pay, the Govt. ~~had~~ attempted an amicable settlement (vide order of) per 10th 94) and when this attempt failed by

owing to the non-agreement of the parties concerned, ^{The Govt.} ~~they~~ had ^{one} ~~any~~ course open. That of ^{allowing} ~~the~~ ^{the} law to take its own course

by the Confirmation of the Sale, in the publishing & conducting of which no irregularity ~~was~~ of any kind was alleged or existed — This course

4.

was accordingly adopted —

~~As the case is one of law~~

The Govt. have now very carefully reconsidered the whole of the ^{case} of the case in view of the fact that it has been considered of sufficient importance to ~~submit to the Board~~ Call for the Residency letter under reply, ~~but they regret~~ ~~their inability to~~ and they have come to the conclusion that no reasonable grounds ~~of any kind~~ exist for any interference with the formal public sale already held.

The Govt. are not aware of having shown any special consideration to Vire Gowda in this matter and I admit that their inability to comply with Mr Brooke's requests ~~for~~

regret for ~~the~~
Special Consideration
shown by ~~the~~
Minister of the Ordinance
Public Sale cannot

provide

~~the case~~ ^{special} justly be regarded
as showing any consideration
to the rival ~~of~~ applicant
Vire Gowda. The Govt. throughout
endeavoured to reconcile conflicting
and rival claims, and their
action as far as it went
showed a desire ^{on their part} to show every
special consideration to
Mr Brooke's interests ~~rather~~
rather than to Vire Gowda

& Vice Gonda - That said action eventually failed in I submit no ground for presuming that the Govt. had any desire for showing special consideration to Vice Gonda who as a matter of fact was the unsuccessful bidder at the auction agt. the Mt. Brooke Mockett ~~also~~ was the successful bidder. Mt. ~~Brook~~ Brooke Mockett's Complaint when ~~partially~~^{fully} analysed amounts merely to a statement that he has had to pay for the land he wanted a much larger price than ~~to~~ he wd. have liked. But ~~as~~ it must be remembered that the next lower bid of ~~was that~~ of Vice Gonda ~~for~~ was only Rs 15 below that of the highest ~~of~~ bid of Mr Brooke Mockett for

Rs 13,877-10-5

and the Durbar have no doubt that the land if now resold will fetch nearly the same price - and there is no sound reason for foregoing this legitimate source of State Revenue from the sale

6.

Valuable waste

of Coffee land which everywhere
has risen enormously in value

owing to ~~owing~~ the high ~~and~~ price

which Coffee ~~land~~ now commands

as the result of ~~owing to~~ the general

~~prosperity~~ prosperity & the low
exchange value of the Rupee
Hence -

by

1. 11. 95

N^o 574
5.

116
Deputy Commissioner's Office,
Hassan District.
Dated, (Camp Kothare), 31 Dec 1895.

From,

A. Krishnaswamyengar Esq.
Deputy Commissioner,
Hassan District

To,

22
The Revenue Secretary
to the Government of Mysore,
Bangalore.

Sir,

With reference to your
Dated to $\frac{5735}{2234}$ dated 28th Instant, calling
for the submission of information
on certain points connected with
Survey number 11 of the Hithalkere
village, I have the honor to state that
the information required is called
for from the Taluk on receipt of
which a report will be submitted.
Meanwhile, I request that the Vernac-
-ular papers connected with the
case now placed before Govern-
-ment may be returned to me for
reference and resubmission.

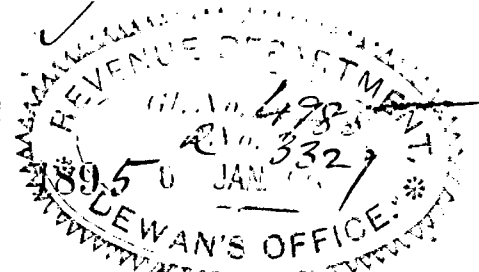
I have the honor to be,
Sir,
your most obedient servant;
A. Krishnaswamyengar
Deputy Commissioner
Hassan District

X 121/ (31)
Per

Mr. Draft
returning the
V Papers as
required -
H
6/1/96

Referred
7/1/96
Dated
7/1/96

Gen. Serial No. 30.]



From:

The Dy. Commissioner
Mysore District

To

Rev:
The Chief Secretary to the Government
Dewan of Mysore.

Dated 31st December 1895

Despatched 2nd Jan 1896

Received

Enclosures No. 4

General No. 574 of 1895-96
No. 18

In reply to No. 5735 of 28-12-1895
2234
SUBJECT.

Stating that the
information in con-
-nection with Survey
no. 11 of the Hitala
village is called for
from the District, on re-
-ceipt of which a report
will be submitted.

References (to be entered only in the
Dewan's Office.)

To

The Deputy Commissioner
Hassan District -

Dated 7/1/96.

No 5844 In file No
R. 2294

His letter No 574 dated

3rd December 1895, re -

requesting the return of the
vernacular papers connect
with the Settlement of
Settlement Land in the
Manjara Taluk.

As requested in the
above, has the honor to
return herewith the 12
papers received with his
letter No 176 dated 24 Sept
1894, relating to the subject
in question.

By Order

31
7/1/96

7-1-96
Rev: Secy

(32)

Gen. Serial No. 30.]

5225

1895

From

The Deputy Commissioner,
Mysore District

To

Revenue
The Chief Secretary to the
Government of Mysore.

Recd 15/1/96

Refs - to day

N 1571696

Submitted with reference

Dated 12

Despatched 13

January 1896.

Received

Enclosures No. 1 + 1 P. file

General No.

Local No. 674

In reply to No. 5735 Dated 28 Dec/95
2234
SUBJECT.

Submitting a memo in
the form of questions &
answers on certain
points in re - land es
ti of Kital here with a
manjirabina Taluk
sold by public auction

Translation of 3 reports submitted

am
18/1/96.

N 2071196

References (to be entered only in the
Dewan's Office.)

Deputy Commissioner's Office
Bassan District.

12/11 Dated Bassan 12 January 1896

To 614 m V.P. file
see 2 one memo

From

A. Krishnaswamy Iyengar Esq.
Deputy Commissioner
Bassan District.

To,

The Revenue Secretary to the
Government of Mysore
Bangalore.

Sir,

In reference to your letter
to $\frac{5735}{2234}$ dated 28th December 1895,
forwarding a memo calling for
a report on certain points
connected with survey to 11 of the
Hillalakeru village, Tranterabad
Taluk, I have the honor to submit
herewith a memo in the form of
Questions and Answers regarding
the points noted therein.

2. The Vernacular papers connected
with the case ending with Tranter-
abad Amildar's Report to $\frac{586}{31-12-95}$
and $\frac{597}{3-1-96}$ are herewith submitted
for needful reference and

Obliging returns.

I have the honor to

Sir
Yours Most Obedient

Attendant

Deputy Commissioner

Rangoon District

N

Memo on Billābhere Survey to:

Was Survey to: even under
Coffee cultivation? -

Then, now and upon
what authority his land
was subsequent to 1881,
set apart as Gornal.

It was under Coffee cultiva-
tion. It had been lying
as fallow garden immen-
sely. It is not entered
either in the Antiquary or in
the Coffee list. -

It is reported by the
Amildar that as no re-
mark was made by the
office against this as in settlement
settlement Form - 108 (Bijapur
Za Kila), and in numbers
12, 18 and 22 measuring
K - 2 - 0, which were the
village Gornal before the
Survey, had been merged
in Survey to: (the land in
question), and as the Khetwar
Patni was prepared before
the receipt of ^{the} Pargal Patni
from the Survey Superintendent,
this land was entered as
Gornal by the Taluk authorities
in the Khetwar Patni K.
Pat Bahani shows the to
as Kharab.

Whether such assignment
was in favor of the title
of the village of Billābhere
alone or also that of all or
any of the villages of Abhan
Dahan etc

This cannot be answered
as the settlement officer did not
assign Survey to: as Gornal
title for this village or any
other.

What is the distance between these four villages and the land in question?

The land in question is contiguous with the lands of Abbana and Dake villages. Minacaranalli and Maranathahalli are about a mile and a half from the land in question.

What are the lands adjacent to Gomal for the cattle of the village of Abbana?

<u>Survey to</u>	<u>Extent</u>
4	- 11-28
95	- 70-32
82	- 20

Pargana Patti Daku shows that to 12 (Gomal) measures 59-32 and the Deputy Commissioner states that it measures ^{Acres Guntas} 48-13. What is the cause of this difference?

At the time of the Survey Settlement, to 12 (Gomal) ^{Acres Guntas} measured 59-32, but subsequently in 1891-92 ^{Acres Guntas} 1-19 out of this land given out for coffee cultivation. Thus the extent of Gomal for this village stated by the Deputy Commissioner as 48-13 is correct.

Pargana Patti Daku shows that to 27 (Gomal) ^{Acres Guntas} measures 25-39 and the Deputy Commissioner states that it measures ^{Acres Guntas} 24-19. What is the cause of this difference?

The correct extent of to 27 (Gomal) is ^{Acres Guntas} 25-39 and not ^{Acres Guntas} 24-19.

125

What are the circumstances from Erabad children
under which the amount of Rs 682 dated 27-1-92
of Repos 13877-1-5 recovered is herewith submitted,
from Dr. Prochell returned which explains the
to him? Report with papers circumstances under which
called for - the money was returned.

Has the land in
question (Survey No. 11
of Bilhal Kere) been made
over to the purchaser?

No.

[Signature]

Deputy Commissioner
Dacca District.
[Signature]

Subj

The amount of Rs 682
of the verbal order
of the K. & L. Co.
for the money back

15/12/96

No 655
S.Deputy Commissioner's Office,
Hassan District.Dated 7th Chaitra 1916, 24th January 1916.

From,

A. Krishnamaniyar Esq.,
Deputy Commissioner,
Hassan District.

To,

L.R. 11-20

The Revenue Secretary
to the Government of Mysore,
Bangalore.

Sir,

I have the honor to return
herewith the Vernacular papers re-
ceived with your Docket No. 5824
Dated 7th Instant, relating to Survey No.
11 of the Hithalthe village, in the Manjara
-bad Taluk.

I have the honor to be,

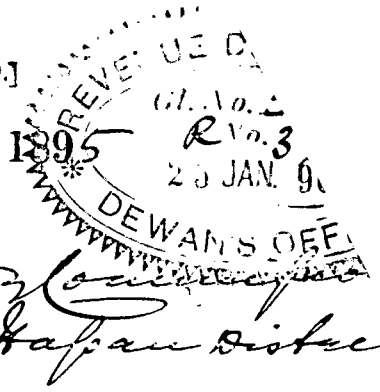
Sir,

Your most obedient servant;

A. Krishnamaniyar

Deputy Commissioner
Hassan District

Gen. Serial No. 30.]



From

Rev. Dy. Commr. Bangalore
Kapoor District

To

Rev.
The Chief Secretary to the Govt.
Dewan of Mysore.

Per 20/1/96
Put up with
the connected
file *20/1/96*

Dated *20th January 1896*

Despatched

Received

Enclosures No. *1 file*

General No. *555* of *1895-96*
No. *5*

In reply to No. *5874* of *77-1-16*
R. 2294
SUBJECT.

Returning the vernacular papers relating to Survey No. 11 of the *Bitathere* village in the *Manjarebad* Taluk. —

References—(to be entered only in the Dewan's Office).

G. R. S. VI—G/32]

SUBJECT.....

Diary No. of letter replied to.....

Section

File No.

Serial No

General and Revenue Secretariat

()

, the

191

No. R. 10966 of 1.4.24

E.V.P. file

Date of issue

14.24

To The Deputy Commissioner
Hassan District

Signed by

M. C. E. Namal

Sir,

I am directed to return
herewith the file of Vernacular
papers received with your letter
no 655 dated 27th January
1896, re: the Sale of Suro II of
the Hiltalgeri village, Ma
Junabad Taluk

I have etc

CEH

25.3.24

For Secy to Govt

Rev Secy

3
mf3 22.3.24

[Faint, illegible handwritten text, possibly bleed-through from the reverse side of the page.]

List of enclosures.

Copied by

Examined by

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

SubmittedA

Vernacular Correspondence
 received at the office of the
 27th January 1896, from the
 Deputy Commissioner of the
 Government of the file of the
 the sale of Gurney's
 11. of the village of
 village. The village of
 Tachik - may be returned
 to the Deputy Commissioner
 Office:

L. D. No 181 of 91
 Containing Serials 1 to 20
 herewith sent for reference
 with a request that this
 collection may be
 returned ^{early} to the Special
 Establishment of the
 in the collection:

No 8268
 15.8.21

To the Revenue
 Secretariat for
 favour of needful
 action thereon:

N.E. Should routine notes be written on small slips,
 the notes must be copied, or slips pasted on
 this form.

Draft returning the
 record put up for approval 15/3/21
 21/3/21 (22.3.21 Register) Issue 21
 20.3.4

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

No. 10966 of 1.4.21. To the
Depty. Commissioner, Hassan
District, returning the Vernacular
papers.

File may now be returned
The General Records

2.21.24 (Genl Records)

N.B.—Should routine notes be written on small slips,
the notes must be copied, or slips pasted on
this form.

In this connection it is worthy of note that the Rights concerned had in the first instance ^{granted} to the ~~allocation~~ of the land ⁱⁿ ~~in~~ favour of Verejovda the applicant, but men ^{the} have changed sides when Mr Brook Mockett came forward with his objection.

The land was accordingly sold on the 16th April 1912 and Mr Brooke Mockett became himself the purchaser. ~~When~~ He paid up the money at once and the papers were received in this office for the usual confirmation.

In the meantime an offer had been made by Mr B. Mockett to buy the land for an upset price and before this was communicated to the Dep. Comr. the land had been sold and it was then ^{at} open to ~~be~~ deal with the sale in accordance with ~~the~~ rules.

The fort however were
inclined to think that
there were private motives
actuating the parties and
an amicable settlement was
suggested between the principal
contending parties who were
Mr B Markett & Viregoda,
& also the villageis and
another Mohomedan appli-
-cant who had also asked
for a portion of the land - The
Dep Court was however
unable to bring about a compro-
-mise and the fort were
unable to do anything more
than give due and legal effect
to the sale which had already
been held in ^{short} accord and
with the rules on the subject.
It is only necessary to state
that no special consideration ^(of any kind) has
seems to have been shown
to Veeragonda or Dalvi, than
than what the rules of the
case required. It has been the
policy of Govt ~~to throw up the~~
grazing land ~~under the law~~ ^{to be thrown up the}
cultivation whenever there is an
Alman

less the non compliance
with his request

Special Consideration
may be ^{so} interpreted,

the Govt are unaware

of any special consideration
having been shown to Vira Gowda -

The Govt throughout endeavoured
to ~~allow~~ reconcile conflicting
interests by ~~means of~~ ^{& etc} a compromise,

but when they failed, owing to
the non-agreement of the parties,

they had only one course open

to them - namely ~~that~~ to allow
the law to take its own course

& this long standing dispute to
terminate by the effect being given
to ~~a~~ Sale the public Sale ^{which had been} formally
held =

Mr. M's Complaint after all amounts
merely to his having to pay a larger
price than he considers ~~that~~ the
land is worth, but his rival Vira Gowda
~~was willing~~ whose bid was the next
lower and was for Rs. _____
against Mr. M's bid for Rs. _____

25

Megaw

Rev Sec.

I. In The Case of Mr. Brooke Macchett vs
Bhup² Gowda about the Sale of some
Gomal land - which was explained
to the Resident. I want the following info.
Which brings up with the file.

1. What was the Settlement regarding
Gomal land at the Survey for
Each of the Villages named in
Mr Brooke Macchett's Petn, as having
a right to graze on the particular
land in question.

2. Have we info regarding
the cattle & Cultⁿ of each of
these villages - ?

II Have we recd. from Dpts
Cans: Rev Admt reports for
1893/94

for 94/95

21/12/95

by

and Veeragowda 16-18, Gulam
Mohadin Dalvi gets 17-19 while
the Gomal will be 39-23. In this
division the portion allotted
to Veeragowda will not only be
quite contiguous to his present
paddy land but it will also be
separated by the intervening
Gomal land. The area allotted
to the Gomal will also be some-
-what larger measuring 39-23
which, considering the local
requirements is not at all over
abundant, the minimum area
being 24 acres exclusively for
Hittal Keri village, not taking
into account what Dabur,
Abban, Chinagarahalli and
Mananaihanahalli would
and have been urging particu-
-larly Dabur from which a large
slice of 36-26 is taken for purpose

of this division. The Amildar
also recommends the allotment
to Veeragowda as in Sketch No. B
(the latter) because that would
also serve as a dry land on the
margin of Veeragowda's wet
land which eventually could
be planted with Coffee growing
shade before or simultaneously
with it as many do. -

6. - After careful consideration,
I am myself convinced that
the distribution proposed by
Government is by far the best. Mr.
Brooke Mockett, the principal
person who has staked the
large sum of 14000 Rs to buy
peace by keeping a disagreeable
person aloof and away
from his neighbourhood

114 2/

When the Vire Gorda first applied for the land the Villagers ^{expressed themselves as having} had no objection to its grant to him, but when Mr Mockett appeared in the field they opposed such grant. ~~Their action since~~ ^{capitulation of the question has appeared} ~~their subsequent action has~~ ^{been} ~~proceeded~~ from a feeling of partisanship ~~and~~ ^{and} ~~not~~ ^{not} from a desire to help ~~the order of the 1st June 1893~~ ^{their homeless neighbours}

~~In my cold weather term of 1893-94~~ ^{due to} ~~and the~~ ^{prompted by} the rivalry between Mr Brooke Mockett & Vire Gorda.

In my cold weather term of 1893-94 both the rival claimants approached me about the question of the disposal of the land in question.

~~was~~ wanted the ~~it~~ were willing to put assessments at but

Mr Brooke Mockett wanted ~~the~~ ~~land on a valuation to be~~ ~~put on a valuation and Vire Gorda~~ ~~but~~ on a valuation, ~~but~~ while Vire Gorda was willing to buy it at a public auction.

The order of the 1st June 1893 appeared to be quite just & proper every way and the Gorb did not consider there was any ground for reconsidering it.